



COUNTY OF SAN DIEGO

DEPARTMENT OF PLANNING AND LAND USE: Zoning

APPLICANT'S GUIDE TO AN ADMINISTRATIVE PERMIT FOR A SMALL WINERY

These guidelines provide information on how to apply for an Administrative Permit for a Small Winery use. Review the attached Zoning Ordinance excerpts to determine where and under what restrictions this use is allowed. Please be sure to read ALL of the information in this Guide and application package forms.

OPTIONAL: Contact the Department of Planning and Land Use to set-up a pre-application meeting to determine the processing requirements and to discuss project specifics with various departments prior to formally submitting an application. To schedule a pre-application meeting, contact the Department of Planning and Land Use Zoning Information Counter at (858) 565-5981. Note: There is a fee for a pre-application meeting.

FILING REQUIREMENTS

Complete the following forms:

- | | | |
|----|---|-------------------------------|
| 1. | Discretionary Permit Application | DPLU#346 |
| 2. | Supplemental Application | DPLU#346S ¹ |
| 3. | Ownership Disclosure | DPLU#305 |
| 4. | Evidence of Legal Parcel | DPLU#320 |
| 5. | Plan Check Pre-App Notice | DPLU#581 |
| 6. | Complete Public Notice Package | DPLU#514, #515, #516 and #524 |
| 7. | Service Availability Letters | DPLU#399 |
| 8. | Acknowledgement of Filing Fees and Deposits | DPLU#126 |

Include also:

9. Eight (8) copies of your detailed plot plan. See DPLU #ZC090Z – Typical Plot Plan. The plan MUST be drawn to engineer's scale. Plot plan enlargements or reductions will not be accepted.
10. Eight (8) sets of elevation drawings or sketches of EACH of the FOUR SIDES of the proposed tasting room structure.
11. Application fee. See fee schedule for amount on form DPLU #369.
12. Information and photographs demonstrating that there is a productive vineyard on the site of the proposed Small Winery that meets the fruit-origin requirements stated in Section 1735.e. The information in the application should detail where the fruit used in wine making comes from and how much fruit is grown on the premises of the Small Winery.

IMPORTANT NOTE: The plot plans and elevations must be folded no larger than 8 1/2" x 11" with the lower right hand corner exposed.

¹This form will be "speaking" for you, so it is very important that your project is described in complete detail. For example specify the use, square footage, height, etc. of the proposed and existing structures.

EXCERPTS FROM THE ZONING ORDINANCE SMALL WINERY

Section 1735.e:

1735 PACKING AND PROCESSING.

Packing and Processing refers to packing and processing of fresh agricultural products and does not include cooking, canning, tanning, rendering and reducing operations which are general industrial uses. Following is the description of the Packing and Processing: Small Winery use type:

- e. Packing and Processing: Small Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of less than or equal to 120,000 gallons of wine per year. A Small Winery may also include a tasting room and retail outlet as secondary uses.**

Section 6910: Required Findings

Before an Administrative Permit is approved to allow a Small Winery, the following findings must be made, supported by facts and evidence, as required by Zoning Ordinance Section 6910. If not provided in the project application, DPLU may ask for additional information to provide the required facts and evidence.

6910 SMALL WINERIES

- 6. An Administrative Permit is required and may be approved in accordance with the Administrative Permit Procedure commencing at Section 7050 if it is found:
 - i. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - a) Harmony in scale, bulk, coverage and density;
 - b) The availability of public facilities, services and utilities;
 - c) The harmful effect, if any, upon desirable neighborhood character;
 - d) The generation of traffic and the capacity and physical character of surrounding streets;
 - e) The suitability of the site for the type and intensity of use or development which is proposed; and to
 - f) Any other relevant impact of the proposed use; and
 - 2. That the impacts, as described in paragraph "i" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan; and
 - 3. That the requirements of the California Environmental Quality Act have been complied with.

Section 6910 b:

b. NOTICE TO PROPERTY OWNERS

Notice shall be given to owners of property within 300 feet of the exterior boundaries of a proposed Small Winery and a minimum of 20 different owners pursuant to Section 7060c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060 d.

It is the applicant's responsibility to prepare a complete public notice package for the purpose of notifying nearby property owners that an application has been filed. The notice package must include all property within 300 feet of the exterior boundaries of the proposed Small Winery **and** a minimum of 20 different property owners. In order to include 20 different property owners it will often be necessary to extend the notice well beyond 300 feet. The complete public notice procedure is explained in form DPLU #516, Applicant's Guide – Preparation of Public Notice Package, included in the application package. Also refer to DPLU #515 and complete and submit DPLU #514 and #524.

Section 7060 d:

d. PUBLIC HEARING

A public hearing shall not be held unless the administering agency determines that such hearing would be in the best interest of the County, or if required by applicable sections of the Zoning Ordinance where a hearing is requested by the applicant or other affected person.

If the County, the applicant or any other affected party requests a hearing, a decision on the application will be made by the Zoning Administrator at a public hearing. If no hearing is requested, a decision on the application will be made by the Director of Planning and Land Use. These decisions may be appealed to the Planning Commission.

MISC. INFORMATION

Events:

Events, including but not limited to weddings and parties, may be allowed upon the making of findings in Section 6910.c.6

Signs:

One sign, up to 12 square feet in size, is allowed at a Small Winery pursuant to Zoning Ordinance Section 6252.u:

One sign up to 12 square feet in area for a permitted roadside sales stand or a Small Winery identifying and advertising agricultural products produced on the premises.

Additional area and/or signs cannot be authorized by the Administrative Permit.

Food:

The sale and consumption of pre-packaged food is allowed on premises. Refrigeration shall be approved by the County of San Diego Department of Environmental Health. Catered food service is allowed, but no onsite food preparation is allowed at a small winery. Catered food service includes the provision of food that is ready to eat and has been prepared off the Small Winery premises.

Environmental Review:

The deposit collected for the environmental review portion of the application covers review of an exemption from the California Environmental Quality Act (CEQA). If, after the initial review by DPLU staff, any environmental issues are identified or additional study is needed, the applicant will need to complete additional forms and an additional deposit will need to be made.

Building Permit:

Building Permits will be required to insure that buildings meet the current Uniform Building Code for commercial buildings. Applicants should contact the DPLU Building Division at (858) 565-5920 or toll-free at (888) 336-7553 for Code standards and requirements.

Department of Environmental Health

If your property uses a septic system and/or a well for water, you should contact the Department of Environmental Health to determine what requirements they will have for the Small Winery.

Service Availability Letters

To show that there are adequate public facilities to serve the Small Winery, the application must include Service Availability Letters from the fire district (DPLU#399F), water district (DPLU#399W) and sewer district if the project will be served by a public sewer (DPLU#399S). The applicant completes the top of the form and then has the service agency complete the bottom. Some agencies charge for completion of these forms. Once the forms are completed by the service agency, they should be submitted with the remainder of the application. Please be aware that service agencies may have requirements and improvements that need to be met and completed before the Small Winery can open for business.

Stormwater Regulations

Small Winery applicants do not have to prepare a Stormwater Protection Plan as part of the Administrative Permit process, but please be aware that operation of a Small Winery must comply with all applicable stormwater regulations at all times. In addition, building permit plans must demonstrate how stormwater regulations will be met. The activities at a Small Winery are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for Low Impact Development (LID)

(<http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one acre require that the property owner keep additional and updated information on-site concerning stormwater runoff.